

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION 5****230 SOUTH DEARBORN ST.****CHICAGO, ILLINOIS 60604**

REPLY TO THE ATTENTION OF

5HE-12

21 APR 1986

Certified Mail
Return Receipt Requested

Orton-McCullough Crane
P.O. Box 846
Mishawaka, IN 46544

Re: Wayne Reclamation and Recycling, Inc.
Columbia City, Indiana

Dear Sir or Madam:

The United States Environmental Protection Agency (EPA) has documented the releases or threatened releases of hazardous substances, pollutants and contaminants at the above referenced site, and is planning to spend public funds to control and investigate these threatened releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 et seq., unless EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the site.

Based on data we received during our investigation concerning the hazardous substances at this site, EPA has information that indicates that you and/or your firm may be a responsible party. Before the government undertakes necessary action at the site, we would like to know if you will voluntarily perform the work required to abate any releases or threatened releases of hazardous substances, pollutants, and contaminants from the site. You should be aware that under Section 107(a) of CERCLA, where the Agency uses public funds to achieve the cleanup of the hazardous substance, you may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site, including investigation, planning and enforcement.

The EPA is currently planning to conduct the following studies at the above site:

1. Further investigation to identify the local hydrogeological characteristics, and define the nature and extent of soil, air, and surface water contamination at the site, and
2. Feasibility studies to evaluate possible remedial actions to remove or contain hazardous substances, pollutants, and contaminants at the site.

In addition to the above studies, other corrective measures have been determined to be necessary to protect public health, welfare or the environment. These corrective measures include, but are not necessarily limited to:

1. Excavate and dispose of approximately 400 drums. Approximately ninety-one of the drums are located above the surface.
2. Remove and dispose of contaminated soil around the drums.
3. Conduct a geophysical survey in order to locate any possible additional buried drums on the site.
4. Install three cluster monitoring wells between the city well field and the sludge ravine.
5. Initiate a sampling program for existing wells.
6. The sludge/muck in the sludge ravine and the oil/sludge in the oil pit will be excavated and disposed.

You should notify EPA within ten (10) days from receipt of this letter, of your willingness to participate with other PRPs in the corrective measures and/or RI/FS. EPA will assume that you decline any involvement in the corrective measures and RI/FS if you do not respond. EPA may later invite you to undertake the design and implementation of the selected remedy upon the completion of the RI/FS.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary action, or involved in a lawsuit regarding this site, you should continue such activities as you see fit; you should not interpret this letter to advise or direct you to restrict or discontinue such activities. You should report, however, the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions.

Your letter to EPA should be sent to:

Joseph DeVuono (54E-12)
U.S. EPA - Region V
HWEB - CERCLA Enforcement Section
230 South Dearborn Street
Chicago, Illinois 60604

A steering committee of potentially responsible parties (PRPs) has been formed by a previously notified group. You may wish to contact the chair of the steering committee and inform him of your decision on participation at:

William N. Hall
Breed, Abbott and Morgan
International Square
1875 Eye Street, NW
Washington, D.C. 20006
(202) 466-1118

In addition, EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104 of CERCLA, 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6927, for the purpose of enforcing CERCLA and RCRA and for the purposes of assisting in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes, arranges for the disposal of, or otherwise handles hazardous wastes and hazardous substances, as those terms are defined in Section 1004(5) of RCRA, 42 U.S.C. 6903(5) and Section 101(14) of CERCLA, 42 U.S.C. 9601(14), to furnish the EPA with information related to such activities. Pursuant to these statutory provisions, you are hereby requested to submit the information requested below.

1. Copies of all shipping documents or other business documents relating to the transportation, storage and/or disposal of waste materials or substances at the above referenced site.
2. A detailed description of the generic common and/or trade name and the chemical composition and character (i.e. liquid, solid, sludge) of the waste material offered by you for transportation to, storage and/or disposal at the above referenced site.

3. For each hazardous substance identified above, please give the total volume, in gallons for liquids and in cubic meters for solids, for which you arranged disposal, and list when disposal occurred.
4. What arrangements were made to transport your hazardous substances to the above referenced site? What type of transportation was used (i.e. tankers, dump trucks, drums)?
5. Who was the transporter of your hazardous substances, what was his previous address, and what is his current address?
6. Copies of all records, including analytical results, and material safety data sheets, which indicate the chemical composition and/or chemical character of the waste material(s) transported to, stored or disposed of at the above referenced site or offered for transportation to, storage or disposal at the site.
7. A list and description of all liability insurance coverage that is and was carried by you including any self-insurance provisions, that relates to hazardous substances and/or the above referenced site and copies of all of these insurance policies.

To assist you in answering this request, the information sought pertains to any and all information in your possession, custody or control relating to the operation of the above referenced site and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the site. The relevant time period for this request is from 1955 through the present.

For purposes of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, manifests, shipping orders, packing slips, bills of lading, invoices, bills and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of waste materials to, through, or from, the above referenced site. "Waste materials" shall mean hazardous substances, solid wastes and hazardous wastes, and other materials which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification materials of any kind.

The information sought herein must be sent to EPA within thirty (30) calendar days of your receipt of this letter. Under Section 3008 of RCRA, 42 U.S.C. 6928, failure to comply with this request may result in an

order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 of CERCLA, 42 U.S.C. 9604 may result in a civil enforcement action being brought against you by EPA.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C.F.R. Part 2.

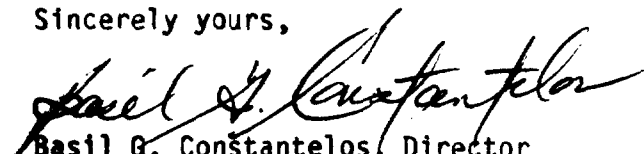
The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to Region V pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. 1001.

Your reply to request for information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at the site. It should also be sent to the address listed above.

If you need further information regarding our information request, you may contact Nicholas Longo of our Hazardous Waste Enforcement Branch at (312) 886-4746, or if you have any legal questions, contact Mr. Michael Berman, Assistant Regional Counsel at (312) 886-6837.

Due to the nature of the problem at this site and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope that you will give this matter your immediate attention.

Sincerely yours,


Basil G. Constantelos, Director
Waste Management Division

Albion Wire
P.O. Box 156
State Road 8 East
Albion, IN 46701

Anaconda Power Cable Company
East Eighth
Marion, IN 46952

Ashley Ward, Inc
56883 Elkhart Court
Elkhart, IN 46516

Plymouth Community Schools
701 East Berkeley Street
Plymouth, Indiana 46563

Bock Products
1901 W. Hizely
Elkhart, IN 46517

Breman Casting
500 N. Baltimore
Breman, IN 46506

Carter Lumber Company
5625 Pendelton
Anderson, IN 46011

Chemical Lehman Tanklines
5606 South U.S. Highway 421
Westville, IN 46391

City Engineer's Office
Water Pollution Control
City Hall
Fort Wayne, IN 46803

Coachman Industries
601 E. Beardsley
Elkhart, IN 46515

DeKalb Molded Plastics
U.S. Highway 6 West
Butler, IN 46721

Dwyer Instrument
55 Ward
Wakerusa, IN 46360

E-Rec-To
P.O. Box 846
Mishawaka, IN 46544

Elco Industries, Inc.
P.O. Box 606
Logansport, IN 46947

EpcO Products
P.O. Box 387
New Haven, IN 46774

Flex Steel Industries, Inc.
P.O. Box 129
New Paris, IN 46553

Grisson AFB
Base Civil Engineer
Grisson, AFB, IN 46971

Hoover Drainage
Grimm Road
Huntington, IN 46750

J.B. Flatlow, Inc.
1610 Circle
South Bend, IN 46628

Johnson Products
2100 Sterling Avenue
Elkhart, IN 46516

Josan Manufacturing Company
1508 East Second Street
Michigan, IN 46360

Renco Oil
P.O. Box 610
Mishawaka, IN 46544

Joy Manufacturing Company
301 Grant Street
Pittsburgh, PA 15219

Rensberger Oil
1604 Rupel
South Bend, IN 46628

Moore Business Forms
West Mill
Angola, IN 46703

Rockwell International
1001 W. Culver Road
Knox, IN 46534

NIPSCO
5265 Hohman Avenue
Hammond, IN 46320

Seamco
503 E. Broad
South Whitley, IN 46787

Northern Indiana Manufacturing
105 S. Theyer
Bourbon, IN 46504

Simerman Construction
5720 Huguenard Road
Fort Wayne, IN 46818

Northern Indiana Public Service Company
5265 Holhman Avenue
Hammond, IN 46320

O.E.C. Medical Systems
501 Argonne Road
Warsaw, IN 46580

Sheller Globe
P.O. Box 962
Toledo, OH 43697

Orton-McCullough Crane
P.O. Box 846
Mishawaka, IN 46544

Small Parts, Inc.
P.O. Box 23
Logansport, IN 46947

Par-Tee Company, Inc.
State Road One
Spencerville, IN 46788

South Bend Lathe
400 W. Sample Street
South Bend, IN 46625

Reclamer, Inc.
P.O. Box 610
Mishawaka, IN 46755

Sun Oil Company
P.O. Box 30
Huntington, IN 46750

Superior Linkage
2110 Summit
New Haven, IN 46769

Superior Waste Systems
54107 Butternut Road
South Bend, IN 46628

Valley Machine Products
1840 Borneman Avenue
Elkhart, IN 46517

Vitreous Steel
900 E. Wabash Avenue
Nappanee, IN 46550

Vulcraft
County Road 60
St. Joe, IN 46785

Walerko Tool
1935 W. Lusher
Elkhart, IN 46517

Whitley Products
1403 Stanley Drive
Plymouth, IN 46563

Xolox Corporation
6932 Gettysburg Pike
Fort Wayne, IN 46804

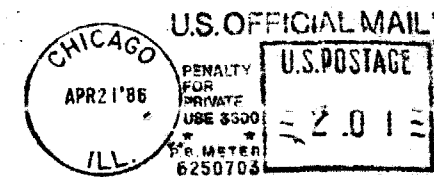
Elmhurst Bus Garage
Fort Wayne School District
6006 Ardmore Avenue
Fort Wayne, Indiana 46809

Superior Waste Systems
c/o Roger Zehnter
Waste Management, Inc.
3003 Butterfield Road
Oak Brook, Illinois 60521

Longo SAE-12

Wape
UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN
CHICAGO, ILLINOIS 60604

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



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4400

88 APR 1986
Resent to
Orton McCullough Crane
1244 East Market Street
P.O. Box 830
Huntington, IN 46705

Orton-McCullough Crane
P.O. Box 846
Mishawaka, IN 46544

P 463 415 767

